

PART I

SUBJECT PROPERTY:

Block 224	Lot(s) 59.02	Zone R-2
		Church Ln.
Size of Property _3	3.11 acres	
Present Use:	☐ Residential ☐ Non-l	Desidential W Vecent
		Residential Specify:
Troposca Osc.	A residential D 140n-1	Condendar Specify.
CONTACTS:		
Applicant:	☐ Corporation ☐ Partn ☐ Other/Explain	ership 🗖 Individual
Name: WSH Enter	orises, Inc.	
Address: c/o Boraic	Development, LLC, 120	Albany St., Suite 305, New Brunswick, NJ 0890
Telephone: <u>732.846</u>	i.3636	Fax:
Email: omar.manso	our@boraie.com	
Owner (if different	from Applicant):	
Name:Sar	me as Applicant	
		Fax:
Email:		
Engineer:		
Name: Greg Oman,	P.E. of Menlo Engineering	Associates
Address: 261 Clevela	and Ave, Highland Park, N	J 08904
Telephone: <u>732.846</u> .	8585	Fax:
Email: goman@men	loeng.com	
Attorney:		
Name: Thomas F.	Kelso, Esq.	
		New Brunswick, NJ 08901
Telephone: <u>732.246.4</u>	1501	Fax: 732.246.4347
Email: tkels	o@kelsoburgess.co	n



PART II

Describe the Proposed Development/Request (continue on a separate sheet if necessary):

The Applicant previously received Major Subdivision approval for four (4) lots by Resolution dated 3/10/15. Applicant did not perfect this subdivision approval.

(3) acce crea new the	(-,
VAR	IANCE(S) REQUESTED (Check all that apply):
% "C"	"Variance(s):
	C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.
R	C(2) - The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.
□ "D'	'Variance(s):
	D(1) - Use or principal structure in a district restricted against such use or principal structure.
	D(2) - Expansion of a nonconforming use.
	D(3) - Deviation from a specification or standard pertaining solely to a conditional use.
	D(4) - Increase in the permitted floor area ratio.
	D(5) - Increase in the permitted density.
	D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height

permitted in the district for a principal structure.



ASSOCIATED APPROVALS REQUESTED:

Site Plan:		Subdivision:		
☐ Site Plan ☐ Amended Site P	100	☐ Minor Subdivisi		
☐ Conditional Use		Preliminary MajFinal Major Sub		
- Conditional Osc		☐ Amended Prelim		ıhdivicion
		☐ Amended Final I		
☐ Other (specify):				
waiver request. Such acknowledgment by requirements of Cha- is not satisfactory is	permitted use shall require h request may be considered that the conditionapter 205. No site plan waiven such matters as traffic, cindscaping, buffer, fire safety	d by the Board, and, if g ion of the property is sa er will be granted if the reulation, access, parkin	ranted, will contisfactory and condition of the g, lighting, set	nstitute an meets the e property backs, lot
Is a site plan waive	r requested?	☐ YES	NO NO	
☐ If a site plan waiv	rer is sought, explain why th	e request shall be granted	1:	
Is the application p	roposed to be bifurcated?	□ YES	9 NO	
If bifurcated, iden	tify the nature of subsec	quent development app	provals to be	sought:
Identify Requested	Variances:			
Ordinance Section:	Requirement:	Proposed Dev	riation:	
§205- ATT. 6	100' LOT WIDTH	77.4' LOT V	VIDTH (LOT	C)

§205-ATT. 6	100' LOT WIDTH	77.4' LOT WIDTH (LOT D)
§205		
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§205	Design Waivers:	
dentify Requested Ordinance Section:	Design Waivers: Requirement:	Proposed Deviation:
dentify Requested Ordinance Section: 205	Design Waivers: Requirement:	Proposed Deviation:
dentify Requested Ordinance Section: 205	Design Waivers: Requirement:	Proposed Deviation:
Section:	Design Waivers: Requirement:	Proposed Deviation:
dentify Requested Ordinance Section: 205 205 205	Design Waivers: Requirement:	Proposed Deviation:
Section: Sectio	Design Waivers: Requirement:	Proposed Deviation:
Section:	Design Waivers: Requirement:	Proposed Deviation:

"C" Variance(s) (Check one that applies):

☐ A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situations uniquely affecting the property or the structures lawfully existing thereon:



and/or
A variance under N.J.S.A. 40:55D-70.C(2):
Detail your argument for how this case conforms to this requirement:
The Lot Width variance for Lots C and D can be justified under C(2). The reasons for the variances on both lots is related to the specific property, advancing and maintaining the integrity of the R-2 Zone, without causing detriment to the surrounding properties (public good) or the Zone Plan for the R-2 District.
D Variance(s):
State special reasons why the refusal to allow the project would impose on the applicant a
undue hardship and/or how the proposed project carries out a purpose of zoning as defined
N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the publ
good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3
what unique characteristics of the site make it particularly appropriate for the proposed use rathe
than a permitted use:
C and D Variance(s):
Supply a statement of facts why relief can be granted without substantial detriment to the public
The special circumstance related to this proposed subdivision is the encumbrance of the flood hazard area. This requires that Lots A,B and C are significantly larger than required by zone in lot area and more than twice the required depth. Lots D and E are conforming in every way except a 22.6% reduction in lot width which is a function of being at the end of the cul-de-sac. However the conforming buildable lot envelopes created by the conforming setbacks maintains the character of the Zone and neighboring properties, therefore not causing detriment to the public good.
upply a statement of facts why relief can be granted without substantial detriment to the intent
nd purpose of the zone plan and zoning ordinance:
The Subdivision as proposed is conforming with the noted exception in lot width for 2 of the 5 proposed lots. The purpose of lot width is, along with all bulk requirements is to provide an adequate building envelope with sufficient access and ensuring an orderly development in the R2 Single Family residential district. In this particular circumstance, the 22.6 % reduction in lot width at the less visible location of the cul-de-sac terminus is more than adequately compensated by the increase in Lot Depth creating conforming building envelopes for
both lots, thereby not impairing the intent and purpose of the Zone Plan or Ordinance.



PART III

Has the	ere been any previous application	to any Township	Board involving the	se premises
		🔀 YES	□ NO	
If yes,	provide file number(s) and state	the nature, date	and disposition of	of said mate
Major	Subdivision Appplication	on No. 2510	was approved	by Resol
tion	dated 3/10/15.			
	c water available?	TYES	_	
	w will water service be supplied?			
<u>Is public</u>	sewer available?	TYES	□ NO	
If no, pro	vide proposed method of sewage dis	posal:		
Are there	e any existing deed restrictions, ea	sements or coven	ants?	
		YES	🜠 NO	
If yes, are	copies provided?	☐ YES	□ NO	
Are any o	leed restrictions, easements or cov	enants contempla	ited?	
		XX YES	□ NO	
	copies provided?	☐ YES	🜠 NO	
Does the	e easement to the HOA is	reflected interest in any co	on, plans intiguous property?)
		☐ YES	₽ NO	
If yes, prov	vide type of ownership, address, bloo	ck and lot(s):		
LIST OF I	PLANS, REPORTS AND OTHER	MATERIALS S	UBMITTED:	
Quantity:	Description of Item:			
3		acaphic 5	UNIEN	
.3	Stormwater 1 Site Plan 45	Managem	ent Repor	+
14	Site Plan ds	in Minister	n Plan	
	-110 Mul 4		11 1411	-
	Proposition of the second of 		dir.	2

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family units o addresses of a or at least 109	for approval of a site to be used for commercial purposes shall list the names and stockholders or individual partners owning at least 10% of its stocks of any class of the interest in the partnership, as the case may be, as required by N.J.S.A. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be
deemed incom	
Name:	N/A - only 5 lots, not 6
Name:	Address:
Name:	Address:
Name:	
Name:	
Name:	
Name:	
Name:	Address:
• •	4.13

Applicant's Signature: ______ Date: _____

Name: _____Address: ____



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized. I am still obligated to nav any shortfull

received after the deliga	i is memorianzeu, i am sim obngateu	to pay any snortiall amount, and I	
acknowledge that failur	e to pay the shortfall shall result in the	e shortfall being deemed a lien on	
the property which is su	bject of the land development application	on.	
Applicant's Signature:	Wasseem Boraie, President	Date: 1/5/26 of WSH Enterprises, Inc.	2
Owner's Signature (if d	lifferent from Applicant):	Date:	
	D = CO		



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick profession agents to come upon and inspect these premises with recommendation of the Comments of	Date: 11/5/20
APPLICANT'S CERTIFICATION:	
I, <u>Wasseem Boraie</u> , <u>President</u> full age, bein of WSH Enterprises my oath, depose that: *** the business is S County of Middlesex and that the above statements contained in this application.	located at 120 Albany in the treet, Suite 305, New Brunswick ate of New Jersey
true. I further certify that I am the individual applicant	t, or a general partner of the partnership
applicant, or an officer of the corporate applicant, and I	am authorized to sign the application for
the partnership or corporation.	Mark D
Sworn to and subscribed before	SIGNATURE Wasseem Boraie, President of
me this 5 day of	WSH Enterprises, Inc.
November , 2020	
NOTARY PUBLIC NOTARY	
OWNER'S CERTIFICATION (If the owner is a cor	poration, this section must be signed
by an authorized corporate officer. If the owner is	a partnership, this section must be
signed by a general partner):	
	located at 120 Albany in the eet, Suite 305, New Brunswick,
and that the above statements contained in this application	
true. I further certify that I am the owner in fee of all the	hat certain lot, piece or parcel of land

situated, lying, and be	ing in the municipality afo	presaid, and known and designated as Block(s)
224	and Lot(s) 59.	- ()
and that I am either the	applicant or I have authori	ized the applicant to make this application, and
I agree to be bound by	the application, the repre-	sentations made and the decision in the same
manner as if I were the	applicant.	SIGNATURE
Sworn to and subscribed me this 5 day of		Wasseem Boraie, President e WSH Enterprises, Inc

APPLICANT'S STATEMENT OF INTENTIONS (Checklist Item #22)

WSH Enterprises, Inc. Lake Farrington Dr. & Church Lane Block 224, Lot 59.02

The Applicant is proposing to subdivide the existing lot 59.02 consisting of approximately 3.11 acres into five (5) new lots ranging in area from 0.35 -0.75 acre. The Applicant proposes to improve the site and construct five (5) for sale single family homes. Each house would have either a 2 or 3 car garage and would range from 3,200-4,100 SF. The exterior design of the homes would be a combination of stone or brick veneer and vinyl siding. The Applicant is not anticipating or proposing any deed restriction at this time. There would be a home owners association for the purpose of maintaining the proposed detention basin. The Applicant anticipates needing 45-60 days to complete site improvements and plans on beginning immediately after receiving all required approvals and permits. Thereafter, Applicant will begin construction of the homes as soon as permitted.

LAND USE

205 Attachment 3

Township of North Brunswick

Appendix C
Preliminary Major Subdivision
Completeness Checklist
(To be completed by applicant)
[Amended 5-15-2006 by Ord. No. 06-09]

	Submitted	Waiver Requested	N/A	
1.	V,			Original and 14 copies of application forms.
2.	<u> </u>			Application form signed and notarized.
3.	4			Owner's consent.
4.				15 complete sets of preliminary plat shall be submitted, together with 15 reduced copies of the plat measuring 11 inches by 17 inches.
5.				Scale not less than 1 inch to 100 feet and shall conform to N.J.S.A.46:23-9.9 et seq.
6.	<u> </u>			Plans no greater than 36-inch x 42-inch size.
7.	V			Application fee.
8.	<u></u>			Signed escrow transmittal form.
9.	<u> </u>			Three complete "Tax and Assessment Payment Report" forms which will be forwarded to the Collector of Revenue office for verification that no delinquent taxes or assessments are due.
10.	<u>V</u>			Survey of property which is less than 1 year old prepared by a New Jersey Licensed Land Surveyor showing:
				 a. Boundaries of the property. b. Building and setback lines and the lines of all existing streets, roads, reservations, easements, rights-of-way and areas dedicated to public use, within 200 feet of the property. c. Title, reference meridian, scale. d. Name and address of record owner. e. Name, address, professional license number and seal of the surveys who prepared the survey.

NORTH BRUNSWICK CODE

	Submitted	Waiver Requested	N/A	
11.				Percolation test and soil log results (if applicable) certified by New Jersey License Professional Engineer.
12.	<u>\</u>			Soil report, including location of seasonal high ground water table.
13.	\checkmark			Evidence of soil erosion and sediment control plan submittal to Freehold Soil Conservation Service (if disturbance of 5,000 square feet or more of soil).
14.			<u> </u>	Evidence of submittal to New Jersey Department of Transportation for Access Permit and/or Drainage Permit (Route 1, 27 and 130 properties only).
15.		<u></u>		Traffic study, including anticipated traffic volumes.
16.				Evidence of submittal to New Jersey Department of Environmental Protection for Stream Encroachment Permit (if applicable).
17.				A Letter of Interpretation from New Jersey Department of Environmental Protection Freshwater Wetlands Division, including evidence that notice was given to the Municipal Clerk pursuant to N.J.S.A. 13:9B. If the New Jersey Department of Environmental Protection deems that wetlands are present, or the applicant does not receive a response to its request for a Letter of Interpretation, the applicant shall show such areas on a survey of the property, prepared by a Licensed Surveyor of the State of New Jersey.
18.				Evidence of submittal to Middlesex County Planning Board (if on county road or involving county drainage structure).
19.	<u></u>		—	Storm drainage calculations, including drainage area maps for on-site and off-site.
20.				Recycling plan, which shall include details as to the storage, collection, disposition and recycling of recyclable materials.
21.		<u> </u>		Copy of any protective covenants or deed restrictions that are intended to cover all or any part of the tract.

LAND USE

	Submitted	Waiver Requested	N/A	
22.	<u>\</u>			A written statement setting forth the intentions of the applicant in regard to the proposed character of the subdivision, whether for the sole purpose of the sale of land or for the construction and sale of homes, with data as to the number, price range, size, floor plan and the outside design of homes, deed restrictions, date of beginning and completion of construction and proposed method of maintaining parking or recreational areas.
23.	V			Such other items and information pertaining to the site as the Planning and Engineering Departments reasonably determine would be necessary or helpful to the Planning Board in reviewing the application.
The f	following shall t	oe on the plans su	ıbmitted:	
24.	V			Title of plat.
25.	<u> </u>			Key map showing site and its relation to surrounding area. Map shall be at a scale of not less than one inch equals 1,000 feet. Names of all streets and Township boundaries within 500 feet shall be shown.
26.	<u> </u>			Plat based on a new or existing survey of the property being subdivided, as per N.J.S.A. 45:8.
27.	<u>/</u>			Plans signed and sealed by a New Jersey Licensed Land Surveyor (survey data only) and by a New Jersey Licensed Engineer if engineering has been performed.
28.				Written and graphical scales.
29.	4			Zone data table.
30.	V			The tract name, tax map sheet, block and lot number, date, reference meridian, scale and the following names and addresses:
	_			a. The record owner of owners.b. The subdivider.c. The person who prepared the map.
31.	<u>V</u>			Acreage of tract to be subdivided to the nearest hundredth acre.
32.	$\sqrt{}$			Proposed lot lines.

NORTH BRUNSWICK CODE

	Submitted	Waiver Requested	N/A	
33.	$\sqrt{}$			Existing lot lines remain.
34.	<u> </u>			Existing lot lines to be removed.
35.	<u> </u>			Setback distance of all existing and proposed structures from each lot line.
36.	V,			Areas of lots shown to nearest square foot.
37.	<u> </u>			The proposed location and area (in acres or square feet) of all required or proposed open space areas.
38.				Existing and proposed streets, sidewalks, storm drains, radii, curbs, bridges, culverts.
39.	<u>√</u>			Natural features, such as wooded areas and rock formations.
40.	$\sqrt{}$			Existing and proposed structures.
41.	<u> </u>			Existing and proposed screening and landscaping, including a planting plan, with quantity, species, caliper and location of planting noted.
42.	<u> </u>			All existing schools, zoning and special district boundaries within 200 feet of the property. Such features shall be shown on a separate map or as a key map on the detailed map itself.
43.	<u> </u>			All lot lines, streets, roads, streams, wooded areas and other physical features on or within 200 feet of the extremities of the proposed subdivision and the existing land use of all adjacent land.
44.	<u> </u>			Location of existing trees with caliper of 3 inches dbh or more.
45.	<u> </u>		***************************************	Existing and proposed contours at 2-foot intervals based on National Geodetic Vertical Datum 1929 to determine general slope and natural drainage of the land. Where necessary to evaluate drainage, the Board shall require contours to be shown for all lands within 200 feet of the property in question.
46.	$\sqrt{}$			High and low points of all proposed streets, proposed cross sections and center line profiles of all proposed streets.
47.	<u></u>			Existing and proposed easements.

LAND USE

	Submitted	Waiver Requested	N/A	
48.				The distances, as measured along the center lines of existing streets abutting the property to the nearest intersection with any public street.
49.				Location of existing edge of pavement and proposed edge of pavement of all roadways within 200 feet of the property.
50.	<u> </u>			Location of all existing and proposed storm drainage structures and utility lines including telephone, power, water, sewer, gas, etc., whether publicly or privately owned, with pipe sizes, grades and direction of flow.
51.	<u> </u>			Names of all owners of record of all parcels within 200 feet from the property involved, and the block and lot numbers of all the property shown on the plan.
52.			_	Plans and profiles of all proposed utility layouts, including storm drainage, sanitary sewers and waterlines, showing feasible connections to existing utility systems or to proposed systems and service connections, which will be installed before the plat is submitted for final approval.
53.				Statement of the steps to be taken by the subdivider to eliminate any downstream drainage problems which may be caused by the development of the subdivision and to mitigate impact from prior upstream development.
54.				The location, direction of illumination and intensity of all outdoor lighting. Type of fixture and height of lighting are to be indicated and isolux lines are to be superimposed on the plan.
55.				Manufacturer's catalogue cut sheet for proposed lighting.
56.	<u> </u>			Location of all land which lies within the 100-year flood line as depicted on the current State of New Jersey, Department of Environmental Protection, Division of Water Services, Bureau of Flood Plain Management, Delineation of Flood Way and Flood Hazard Area Maps. If the stream has not been studied, then a copy of the application for delineation to NJDEP Land Use Regulation shall

be provided, if applicable.

NORTH BRUNSWICK CODE

	Submitted	Waiver Requested	N/A	
57.				Location of all areas with seasonal high water table at the surface, including lakes and ponds.
58.				Location of all areas with seasonal high water table within 1 1/2 feet of the surface.